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RIGHTS OF THE CHILD

Angola, Austria, Belgium*, Bulgaria, Cameroon, Chile, Costa Rica, Czech Republic*, Democratic People's Republic of Korea*, Denmark*, Finland, France, Greece*, Ireland*, Italy, Liechtenstein*, Norway*, Philippines*, Poland, Portugal*, Republic of Korea, Russian Federation, Senegal*, Spain*, Sweden*, Switzerland*, Turkey* and United Kingdom of Great Britain and Northern Ireland: draft resolution

Special Rapporteur on the sale of children, child prostitution and child pornography

The Commission on Human Rights,

Recalling its resolution 1990/68 of 7 March 1990, in which it decided to appoint a special rapporteur to consider matters relating to the sale of children, child prostitution and child pornography,

Recalling also Economic and Social Council decision 1990/240 of 25 May 1990, by which the Council decided to request the Chairman of the Commission to appoint a special rapporteur to consider matters relating to the sale of children, child prostitution and child pornography, including the problem of the adoption of children for commercial purposes,

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* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling further its resolution 1992/76 of 5 March 1992, by which the Commission decided to extend the mandate of the Special Rapporteur for three years, while maintaining the annual reporting cycle,

Recalling the wide ratification of and accession to the Convention on the Rights of the Child and the meaningful role it can play in ensuring an effective promotion and protection of the rights of children,

Also recalling its adoption of the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography, in its resolution 1992/74 of 5 March 1992, as well as of the Programme of Action for the Elimination of the Exploitation of Child Labour in its resolution 1993/79 of 10 March 1993,

Welcoming the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights, and the importance attached therein to the areas covered by the mandate of the Special Rapporteur,

Bearing in mind that the General Assembly in its resolution 44/82 of 8 December 1989 proclaimed 1994 as International Year of the Family, and recognizing the important role the Commission can play in this regard,

Welcoming the dialogue established between the Special Rapporteur and the Committee on the Rights of the Child, namely in the framework of the general discussion on economic exploitation of children, where areas of common concern were fruitfully discussed,

Deeply concerned, however, about the persistence of the practices of the sale of children, child prostitution and child pornography in many parts of the world, which may also often constitute an exploitation of child labour,

Recognizing the need for a continuing exchange of information between the various mechanisms and bodies entrusted with the task of preventing and combating the situations of the sale of children, child prostitution and child pornography,

Recognizing also the need to build a network of contacts at both the national and international levels, including the governmental and non-governmental spheres,

Recognizing further the importance of preventing the involvement of children in armed conflicts and ensuring close cooperation with assistance and humanitarian organizations as well as with military entities,

Taking note with interest of the establishment of the Standing Working Party on Offences against Minors of Interpol, inspired by the principle of the best interests of the child and pursuing a child victim oriented policy,

Having considered the report of the Special Rapporteur on the sale of children (E/CN.4/1994/84 and Add.1) and the conclusions and recommendations contained therein,

1. Welcomes the report of the Special Rapporteur on the sale of children, child prostitution and child pornography;

2. Endorses the conclusions and recommendations of the Special Rapporteur concerning the strengthening of preventive strategies to tackle the root causes of the sale of children, child prostitution and child pornography;

3. Stresses the need for an effective multidisciplinary approach, both at the international and national levels;

4. Recognizes the important role that specialized agencies, non-governmental organizations and the community at large can play in order to ensure a greater awareness and more effective action in preventing the practices of the sale of children, child prostitution and child pornography, including by the dissemination of information and the teaching of children's rights;

5. Welcomes the recommendation made by the World Conference on Human Rights that matters relating to human rights and the situation of children be regularly reviewed and monitored by all relevant organs and mechanisms of the United Nations system;

6. Recognizes the importance of strengthening the cooperation between international agencies dealing with development aid and assistance in the field of the rights of the child, in particular in the areas covered by the mandate of the Special Rapporteur;

7. Encourages Governments and national and international organizations to ensure a wide dissemination of the Programmes of Action for the Prevention of the

Sale of Children, Child Prostitution and Child Pornography and for the Elimination of the Exploitation of Child Labour;

8. Recognizes the important role the media can play in collecting and disseminating information on children's rights, in particular in the areas covered by the mandate of the Special Rapporteur;

9. Emphasizes the importance of ensuring the training on children's rights of those who are involved in actions concerning children, in particular the judiciary and law enforcement officials, and draws the attention of interested Governments to the possibilities offered in this connection by the United Nations through the programme of advisory services in the field of human rights;

10. Encourages Governments, national and international educational organizations, including the United Nations Educational, Scientific and Cultural Organization and the United Nations Children's Fund, to develop programmes for the rights of the child in all areas of formal and non-formal education;

11. Recognizes the importance of promoting the adoption by the business sector of a code of conduct for child protection with a view to preventing and eliminating the sale of children, child prostitution and child pornography;

12. Reaffirms the need for strengthening and ensuring the effective implementation of the legal framework aimed at effectively protecting children's rights, as well as at providing appropriate remedies for children whose rights have been violated;

13. Recognizes the importance of strengthening international cooperation, including through the adoption of bilateral and multilateral measures, in order to prevent and combat situations of the sale of children, child prostitution and child pornography;

14. Encourages the establishment of bodies and institutions, both governmental and non-governmental, acting on behalf of the child in the light of his or her best interests;

15. Also encourages Governments, national police and other law enforcement authorities to work closely with the International Criminal Police Organization (Interpol), particularly its Standing Working Party on Offences against Minors, to identify cases relevant to the Special Rapporteur's mandate and to ensure that

effective action is taken to prevent and remedy criminal and other acts which give rise to child abuse and exploitation;

16. Endorses the recommendation of the Special Rapporteur that States give urgent consideration to the establishment of a national focal point to gather information and to coordinate action on children's rights, including in the field of the sale of children, child prostitution and child pornography;

17. Encourages States to consider raising the age of recruitment to 18 and to prohibit the use of child soldiers;

18. Takes note with appreciation of the information provided by the Special Rapporteur on these areas as well as on the methods of work he has established;

19. Requests the Special Rapporteur, within the framework of his mandate, to continue to pay particular attention to areas which are still insufficiently documented, and takes note of the short-, medium- and long-term priorities, reflected in his recommendations to the Commission, in the areas of the prevention, protection and rehabilitation of children victims of sale, child prostitution and child pornography;

20. Also requests the Special Rapporteur, in carrying out his mandate, to continue to seek and receive credible and reliable information from Governments, United Nations bodies and intergovernmental and non-governmental organizations;

21. Invites the Special Rapporteur to continue to cooperate closely with the Committee on the Rights of the Child and with the Sub-Commission on Prevention of Discrimination and Protection of Minorities and its Working Group on Contemporary Forms of Slavery, as well as with other competent United Nations bodies dealing with questions covered by his mandate, including the Crime Prevention and Criminal Justice Branch, and to this effect invites him to participate at the next sessions of those bodies;

22. Appeals to all Governments to cooperate with and assist the Special Rapporteur in the performance of his tasks and to furnish all information requested, including by inviting the Special Rapporteur to undertake country visits;

23. Expresses its thanks to the Governments which have invited the Special Rapporteur to visit their countries and asks them to give all necessary attention to his recommendations and to inform him of any action taken thereon;

24. Requests the Secretary-General to provide all necessary assistance to the Special Rapporteur in order to enable him fully to discharge his mandate and to submit his report to the Commission at its fifty-first session.